

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

NATIONAL ASSOCIATION FOR THE	)	
ADVANCEMENT OF COLORED	)	
PEOPLE, et al.,	)	
	)	Case No. 8:18-cv-00891-PWG
Plaintiffs,	)	
	)	
vs.	)	
	)	
BUREAU OF THE CENSUS, et al.,	)	
	)	
Defendants.	)	

**[PROPOSED] SCHEDULING ORDER**

Pursuant to the Court's instructions during the March 6, 2019 telephone conference, counsel for all parties jointly submit this letter setting forth the discovery schedule and limitations for Plaintiffs' constitutional claim regarding the funding of the 2020 Census and Defendants' discovery, as agreed upon by the parties and as ordered by the Court during the March 6 conference.

I. DISCOVERY

1. Initial disclosures pursuant to Rule 26(a)(1) need not be made in this case.
2. Plaintiffs may propound up to 15 Requests for Production, up to 15 Interrogatories, and up to 15 Requests for Admission relating to Plaintiffs' constitutional claim regarding the funding of the 2020 Census. Requests for Admission relating to the genuineness or authenticity of documents shall not count towards Plaintiffs' limit of 15 Requests for Admission.
3. Plaintiffs will conduct one Rule 30(b)(6) deposition. The parties will meet and confer regarding the scope and topics of this deposition. Plaintiffs may take up to three oral depositions of fact witnesses. The time limit for each of these depositions is 7 hours.
4. Defendants may propound up to 15 Requests for Production, up to 15 Interrogatories, and up to 15 Requests for Admission. Requests for Admission relating to the genuineness or authenticity of documents shall not count towards Defendants' limit of 15 Requests for Admission.
5. Defendants may conduct one Rule 30(b)(6) deposition. The Parties will meet and confer regarding the scope and topics of this deposition. Defendants may take up to three oral depositions of fact witnesses. The time limit for each of these depositions is 7 hours.
6. Each side may disclose up to three experts.

7. If Plaintiffs or Defendants seek additional discovery, the parties will confer and submit a letter to the Court—not to exceed three, single-spaced pages—indicating the agreed-upon discovery and, if necessary, requesting a conference with the Court regarding any discovery sought to which the parties do not agree.

## II. DEADLINES

The parties jointly propose that the following deadlines be set:

April 4, 2019:	Deadline for conference about discovery of electronically stored information
June 18, 2019:	Plaintiffs' Rule 26(a)(2) expert disclosures
July 8, 2019:	Defendants' Rule 26(a)(2) expert disclosures
July 29, 2019:	Plaintiff's rebuttal Rule 26(a)(2) expert disclosures
August 26, 2019:	Rule 26(e)(2) supplementation of disclosures and responses
August 28, 2019:	Discovery deadline; submission of status report

Respectfully submitted,

/s/ Michael J. Wishnie

Rachel Brown, Law Student Intern  
Casey Gilfoil,\* Law Student Intern  
Daniel Ki,\* Law Student Intern  
Nikita Lalwani, Law Student Intern  
Abigail Olson, Law Student Intern  
Joseph Schottenfeld, Law Student Intern  
Charlotte Schwartz, Law Student Intern  
Jeffrey Zalesin, Law Student Intern  
Joshua Zoffer, Law Student Intern  
Renee Burbank<sup>†</sup>  
Michael J. Wishnie (Bar No. 20350)  
Rule of Law Clinic  
Yale Law School<sup>1</sup>  
127 Wall Street  
New Haven, CT 06511  
Tel: (203) 436-4780  
[michael.wishnie@ylsclinics.org](mailto:michael.wishnie@ylsclinics.org)  
*Counsel for all Plaintiffs*

Jeremy M. Creelan, *pro hac vice*  
Susan J. Kohlmann, *pro hac vice*  
Jacob D. Alderdice, *pro hac vice*  
Jenner & Block LLP  
919 Third Avenue  
New York, NY 10022-3908  
*Counsel for all Plaintiffs*

Khyla D. Craine (Bar No. 14117)  
Anson C. Asaka (Bar No. 20456)  
National Association for the Advancement  
of Colored People, Inc.  
4805 Mt. Hope Drive  
Baltimore, MD 21215  
Tel: (410) 580-5797  
Fax: (410) 358-9350  
*Counsel for Plaintiffs NAACP and Prince  
George's County NAACP Branch*

<sup>1</sup> This letter does not purport to state the views of Yale Law School, if any.

\*Law student interns. Petition to practice forthcoming.

<sup>†</sup> Application for D. Md. admission pending

Benjamin D. Alter, *pro hac vice*  
National Association for the Advancement  
of Colored People, Inc.  
50 Broadway, 31st Floor, New York, NY  
10004  
Tel: (212) 626-6412  
Fax: (212) 248-5250  
*Counsel for Plaintiffs NAACP and Prince  
George's County NAACP Branch*

JOSEPH H. HUNT  
Assistant Attorney General

BRETT A. SHUMATE  
Deputy Assistant Attorney General

JOHN R. GRIFFITHS  
Director, Federal Programs Branch

CARLOTTA P. WELLS  
Assistant Director, Federal Programs Branch

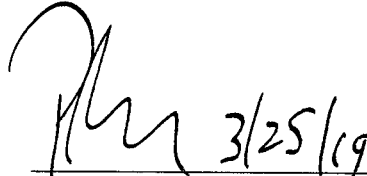
/s/ Stephen Ehrlich  
GARRETT COYLE  
STEPHEN EHRLICH  
Trial Attorneys  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, N.W.  
Washington, DC 20005  
Tel.: (202) 305-9803  
Email: stephen.ehrlich@usdoj.gov

*Counsel for Defendants*

**SO ORDERED.**

**DATED:** Greenbelt, Maryland

\_\_\_\_\_

 3/25/19  
\_\_\_\_\_  
United States District Judge

3 **Paul W. Grimm**  
**United States District Judge**